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Sixth Committee

Agenda item 75: Criminal Accountability

Statement by Denmark, Finland, Iceland, Norway and Sweden
Delivered by Mr Andreas Motzfeldt Kravik
First Secretary, Norway

Mr Chair,

I have the honour to speak on behalf of the five Nordic countries: Finland, Iceland, Sweden, Denmark and my own country, Norway.

The men and women who work for the UN across the world are the public face of the organisation. They are the people who implement the UN mandate by participating in missions involving a wide variety of tasks. They represent and reflect the values of the UN, and a high standard of conduct is critical to the integrity of the organisation and to maintaining trust in the UN.

Reports containing credible allegations of criminal conduct by UN officials and experts while serving in missions give cause for great concern. The Secretary-General has submitted

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reports under this agenda item describing a wide range of alleged crimes, such as sexual abuse, including of minors, fraud and blackmail, theft of funds and undue private gain.

We cannot afford to jeopardise the worldwide trust and support of the UN. The Nordic states therefore fully support the UN zero-tolerance policy towards crimes committed by its officials and experts. Anyone who commits a serious crime while on duty for the UN, must be brought to justice.

Mr Chair,

The General Assembly has adopted annual resolutions on this topic since 2007, strongly urging States to take appropriate measures to ensure that crimes committed by UN officials and experts on mission do not go unpunished, and consider establishing jurisdiction over crimes committed by their nationals while serving as UN officials or experts. The resolutions have also encouraged all States to cooperate with each other and with the UN in the exchange of information and in facilitating the conduct of investigations and prosecutions.

Next year, at the 70th session of the General Assembly, the Sixth Committee will continue its consideration of the 2006 report of the Group of Legal Experts, in particular its legal aspects. In this report the group made a number of recommendations and proposed the development of a new international convention to address jurisdiction and related issues.

Mr Chair,

When our discussions continue next year, it would be of general interest to obtain a better overview of how sending States deal with allegations of serious crimes committed by their nationals when on mission for the UN. Without this basic information, it will be difficult to conduct a thorough review of how best to deal with the problem.

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We welcome this year's report to the General Assembly, which contains information on the extent to which jurisdiction is established under the national laws of some Member States, and information on cooperation among States and with the UN. However, as in previous years, this report only provides information on cases referred to States during the course of the previous 12 months. Information on whether these States have informed the Office of Legal Affairs of any action taken by national authorities in these cases applies only to the same period.

In the 12-month period covered by the most recent report, the cases of 15 officials and experts on mission for the UN have been referred to sending States for investigation and possible prosecution of alleged criminal conduct. According to the report, by the date of publication, *'no states to which the referrals were made had contacted the Office to note that the matter had been raised with the relevant officials'*.

We have seen a similar lack of feedback ever since the Secretary-General issues his first report in 2008. Since the topic was included on the agenda of the Sixth Committee, 62 cases have been referred to States, and the Office of Legal Affairs has received information on follow-up in only five instances. The low rate of feedback is cause for concern, since the General Assembly has no realistic basis for assessing the extent to which sending States carry out investigations of these serious allegations of criminal conduct.

The Nordic States therefore propose that the report should include information on feedback by sending States to the Office of Legal Affairs about their follow-up of all cases referred to them, and not just those from the most recent 12-month period. We also propose the inclusion of additional information on the actual steps taken by the States in question. In this respect, it would be useful to include in the report a table showing all the relevant cases, the

types of alleged crimes, when the case was brought to the attention of the Member State, and the date and content of any response from the Member State. This table should be updated to incorporate the information received. We would like to underline that our proposal neither seeks nor encourages an exercise of naming and shaming. In our opinion, it will not be necessary to identify individual cases or States in this overview.

Improved reporting by States to the Office of Legal Affairs on their follow up of cases of alleged criminal conduct by their nationals while on mission for the UN is essential. We encourage all States to which referrals have been made during the last few years to provide the Office of Legal Affairs with feedback on their management of these cases.

Thank you, Mr Chair.